

RETURN DATE: DECEMBER 3, 2019 : SUPERIOR COURT
NATHAN POLITE : J.D. OF STAMFORD-NORWALK
VS. : AT STAMFORD
CITY OF NORWALK, ET AL : NOVEMBER 4, 2019

COMPLAINT

FIRST COUNT: AS TO DEFENDANTS NORWALK POLICE DEPARTMENT, CITY OF NORWALK AND MATTHEW NYQUIST

1. On or about February 3, 2018 the defendant, Norwalk Police Department, was a public organization existing under the laws of the State of Connecticut.
2. On or about February 3, 2018 the defendant, City of Norwalk, was a municipal corporation organized and existing under the laws of the State of Connecticut.
3. On or about February 3, 2018 the defendant, Matthew Nyquist, was a police officer employed by the defendant, City of Norwalk, and at all times mentioned herein was acting as an employee, agent and apparent agent of the defendant, City of Norwalk.
4. On or about February 3, 2018 at approximately 12:37 AM, the defendant, John Polman, was the owner and operator of a vehicle proceeding north in the left lane of West Avenue at or near its intersection with North Water Street in Norwalk.
5. On or about February 3, 2018 at approximately 12:37 AM, the plaintiff, Nathan Polite, was a passenger in the rear seat of a police car owned by the defendant, City of Norwalk, and

operated by the defendant, Matthew Nyquist, in a northerly direction in the right lane of West Avenue at or near its intersection with North Water Street in the City of Norwalk.

6. On or about February 3, 2018 at approximately 12:37 AM, the defendant, Matthew Nyquist, suddenly and without warning turned his vehicle to the left so as to make a U-Turn from the right Northbound lane of West Avenue into the Southbound lane of West Avenue when, in so doing, he caused his vehicle to collide with the left side of the vehicle proceeding north in the left lane of West Avenue, which was operated by the defendant, John Polman.

7. The aforesaid collision was caused by the negligence of the defendants, Matthew Nyquist in one or more of the following ways:

- a. Matthew Nyquist was inattentive and failed to keep a reasonable and proper lookout;
- b. Matthew Nyquist failed to keep and operate his police vehicle under reasonable control;
- c. Matthew Nyquist failed to stop or turn his police vehicle in time to avoid the collision;
- d. Matthew Nyquist failed to apply the brakes of the police vehicle in a reasonable and timely manner;
- e. Matthew Nyquist failed to sound his horn or siren or otherwise warn Polman of the impending collision;

- f. Matthew Nyquist violated Connecticut General Statutes § 14-283(d) in that he failed to operate his police vehicle with due regard to the safety of all persons including the plaintiff.

8. As a result of the aforesaid negligent conduct of the defendant, Matthew Nyquist, the plaintiff, Nathan Polite, incurred medical expenses and was caused to suffer the following painful injuries, some or all of which are or may be permanent:

- a. herniations, acute disk protrusions and compressions of his cervical and lumbar spines;
- b. severe back and neck pain;
- c. spinal cord compression;
- d. neurologic decline;
- e. left shoulder throbbing and severe pain;
- f. left arm numbness and weakness; and
- g. aggravation of pre-existing multilevel compressions of his cervical spine.

9. As a result of the aforesaid negligent conduct of the defendant, Matthew Nyquist, the plaintiff, Nathan Polite, is unable to fully engage in life's activities.

10. The aforesaid defendants, the City of Norwalk and its police officer, Matthew Nyquist, are liable to the plaintiff pursuant to the provisions of §§ 52-557n and 52-183 of the Connecticut General Statutes.

SECOND COUNT: AS TO DEFENDANT JOHN POLMAN

1-5. Paragraphs 1 -5 of the First Count are hereby made and alleged as Paragraphs 1- 5 of this Second Count.

6. The aforesaid collision was caused by the negligent conduct of the defendant, John Polman, in one or more of the following ways:

- a. John Polman was inattentive and failed to keep a reasonable and proper lookout;
- b. John Polman failed to keep and operate his vehicle under reasonable control;
- c. John Polman failed to stop or turn his vehicle in time to avoid the collision;
- d. John Polman failed to apply the brakes of his vehicle in a reasonable and timely manner;
- e. John Polman failed to sound his horn or otherwise warn defendant, Matthew Nyquist, of the impending collision.

7. As a result of the aforesaid negligent conduct of the defendant, John Polman, the plaintiff, Nathan Polite, incurred medical expenses and was caused to suffer the following painful injuries, some or all of which are or may be permeant:

- a. herniations, acute disk protrusions and compressions of his cervical and lumbar spines;
- b. severe back and neck pain;
- c. spinal cord compression;

- d. neurologic decline;
- e. left shoulder throbbing and severe pain;
- f. left arm numbness and weakness; and
- g. aggravation of pre-existing multilevel compressions of his cervical spine.

8. As a result of the aforesaid negligent conduct of the defendant, John Polman, the plaintiff, Nathan Polite, is unable to fully engage in life's activities.

WHEREFORE, the plaintiff claims:

1. Monetary damages;
2. Such other and further relief which the Court deems equitable and fair.

THE PLAINTIFF
NATHAN POLITE

BY: 306280

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STATEMENT OF AMOUNT IN DEMAND

The amount, legal interest or property in demand is Fifteen Thousand Dollars or more,
exclusive of interest and costs.

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NATHAN POLITE

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